

IN RE: PETITION FOR ADMINISTRATIVE VARIANCE
ZONING VARIANCE
W/S Bowleys Quarters Rd., 600'
S of Carroll Island Road
224 Bowleys Quarters Road
15th Election District
5th Councilmanic District
Russell Knill, Jr., et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 93-248-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Russell Knill, Jr. and Nina J. Knill, his wife, for that property known as 13123 Patuxent Road in the Bowleys Quarters section of Baltimore County. The Petitioners herein seek a variance from Sections 400.1, 101, and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (detached garage) to be larger than the principle dwelling and to allow the accessory structure with a height of 17 ft., in lieu of the maximum permitted 15 ft., as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits

submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 8th day of March, 1993 that the Petition for a Zoning Variance from Sections 400.1, 101, and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (detached garage) to be larger than the principle dwelling and to allow the accessory structure with a height of 17 ft., in lieu of the maximum permitted 15 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

LES:mmn
encl.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

-2-

Baltimore County Government
Zoning Administration
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

March 8, 1993

Mr. and Mrs. Russell Knill, Jr.
224 Bowleys Quarters Road
Baltimore, Maryland 21220

RE: Petition for Administrative Variance
Case No. 93-248-A
224 Bowleys Quarters Road

Dear Mr. and Mrs. Knill:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 224 Bowleys Quarters Road

which is presently zoned R-1

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1, 101, and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (detached garage) to be larger than the principle dwelling and to allow the accessory structure with a height of 17 ft., in lieu of the maximum permitted 15 ft., as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

At the time of obtaining the original permit, we did not realize that we needed the doors of the garage high enough to get our motor home and boat into the garage. We are requesting that the roof peak be 17 feet instead of the original 15 feet so that the doors can be made higher.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Person/Persons

(Type or Print Name)

Signature

Address

City

(Type or Print Name)

Signature

Address

City

State

Zip Code

Phone No.

ESTIMATED POSTING DATE

DATE

REVIEWED BY

ESTIMATED POSTING DATE

DATE

REVIEWED BY

ESTIMATED POSTING DATE

DATE

REVIEWED BY

ESTIMATED POSTING DATE

DATE

REVIEWED BY

ESTIMATED POSTING DATE

DATE

REVIEWED BY

ESTIMATED POSTING DATE

DATE

REVIEWED BY

ESTIMATED POSTING DATE

DATE

REVIEWED BY

ESTIMATED POSTING DATE

DATE

REVIEWED BY

ESTIMATED POSTING DATE

DATE

REVIEWED BY

ESTIMATED POSTING DATE

DATE

REVIEWED BY

ESTIMATED POSTING DATE

DATE

REVIEWED BY

ESTIMATED POSTING DATE

DATE

REVIEWED BY

ESTIMATED POSTING DATE

DATE

REVIEWED BY

ESTIMATED POSTING DATE

DATE

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:
That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at
224 Bowleys Quarters Road
Baltimore, Maryland 21220
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hearing or practice difficulty)

At the time of obtaining the original permit, we did not realize that we needed the doors of the garage high enough to get our motor home and boat into the garage. We are requesting that the roof peak be 17 feet instead of the original 15 feet so that the doors can be made higher.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Russell Knill, Jr.
Nina Joyce (Dotterer) Knill
Type or print name

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 1st day of December, 1993, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Russell Knill & Nina Joyce Knill

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal
December 1, 1993

Notary Public
Commission Expires: 9-1-95

Zoning Description 224 Bowleys Quarters Rd

93-248-A
Beginning at a point on the west side of Bowleys Quarters Rd. at a point 600 ft. south of Carroll Island Rd. thence running S 86° 45' W 391.95 ft., thence S 0° 30' E 136.00 ft., thence N 86° 45' E 425.86 ft., thence N 14° 30' W 140.16' to the point of beginning; containing 1.24 acre ± and located in the 15th Election District.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15th
Posted for: Variance
Petitioner: Russell & Nina Knill
Location of property: W/S (224) Bowleys Quarters Rd., 600'
Location of Sign: 224 Bowleys Quarters Rd. Property of Petitioner
Remarks: M.L. Knill
Posted by: M.L. Knill
Number of Signs: 1
Date of Posting: 2/11/93
Date of return: 2/12/93



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date

1/29/93

PUBLIC HEARING FEES

910 - HEARING VARIANCE (100)

980 - POSTING SIGNS & ADVERTISING

LAST NAME OF OWNER: KNILL JR.

Account: R-001-6150

Number

93-248-A

QTY

PRICE

1 X

TOTAL: \$85.00

Please Make Checks Payable To: Baltimore County

Cashier Validation



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date

1-29-93
Nina Joyce Dotterer Knill
224 Bowleys Quarters Rd.
(21220)

Residential (Admin) Variance filing fee \$50.00
Sign + posting \$35.00
Total \$85.00

Account: R-001-6150

Number

93-248-A

QTY

PRICE

1 X

TOTAL: \$85.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

February 16, 1993

(410) 887-3353

Mr. and Mrs. Russell Knill, Jr.
224 Bowleys Quarters Road
Baltimore, MD 21220

RE: Case No. 93-248-A, Item No. 263
Petitioner: Russell Knill, Jr., et ux
Petition for Administrative Variance

Dear Mr. and Mrs. Knill:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on January 29, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

2-12-93

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: #263 (JJS)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for *Bob Small*
John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is 410-333-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: February 12, 1993

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 254, 256, 259, 263, 262, 267, 268, 261.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey M. Long*

Division Chief: *Carol L. Kenna*

PK/JL/lw

254, 2AC/2AC1

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: Feb 18, 1993

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famili
SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: Feb 8, 1993

There are no comments on item numbers 239, 240, 241, 254, 256, 257, 259, 260, 261, 262, 263, 264, 267 and 268

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

RJF/lvd

RECEIVED
FEB 18 1993
ZONING OFFICE

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

FEBRUARY 18, 1993

(410) 887-1500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: FUSSELL KNILL, JR. AND LINA JOYCE DOTTERER KNILL

Location: #224 BOWLEYS QUARTERS ROAD

Item No.: #263 (JJS) Zoning Agenda: FEBRUARY 8, 1993

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1998 edition prior to occupancy.

REVIEWER: *Carol L. Kenna* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/REK

93-248-A 3-1-93

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: March 9, 1993

FROM: J. Lawrence Pilon
Development Coordinator, DEPRM

SUBJECT: Zoning Item #263
Knill, Russell; 224 Bowleys Quarters Road
Zoning Advisory Committee Meeting of February 8, 1993

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains apply to the site.

Development of this property must comply with Forest Conservation Regulations.

JLP:rmp

KNILL/GWRMP

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

FEBRUARY 3, 1993

(410) 887-3353

Russell and Mia Knill
224 Bowleys Quarters Road
Baltimore, Maryland 21220

Re: CASE NUMBER: 93-248-A (Item 263)
224 Bowleys Quarters Road, 600' S of Carroll Island Road
224 Bowleys Quarters Road
15th Election District - 5th Councilmanic
Legal Owner(s): Russell Knill, Jr. and Lisa Joyce Knill

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a reaffirmation regarding the administrative process.

1) Your property will be posted on or before February 14, 1993. The closing date (March 1, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Arnold Jablon
Arnold Jablon
Director

Printed on Recycled Paper

February 3, 1993

RECEIVED
FEB 3 - 1993
ZONING COMMISSIONER

93-248-A

Mr. Lawrence E. Schmidt
Zoning Commissioner
400 Washington Avenue
Room 113 - Old Courthouse
Towson, Maryland 21204
MS: 2112

Dear Mr. Schmidt,

I am asking your permission for an Early Decision Request in the matter of a Request for a Resolution of an Administrative Residential Variance for the property address of 224 Bowleys Quarters Road, Baltimore, Maryland 21220.

We are building a garage for storage of our motor home and boat and at the time of obtaining the building permit (which expires in May, 1993), we neglected to take into consideration the fact that the garage should be 17 feet high instead of the usual 15 feet height to accommodate our recreational vehicles by having the larger doors.

We are asking for this early decision request for the following reasons:

1). We will be losing the men who will be doing the block work and carpentry work as they are presently unemployed and are doing this work as a favor to us; however, they are to be called back to their jobs by the first of March.

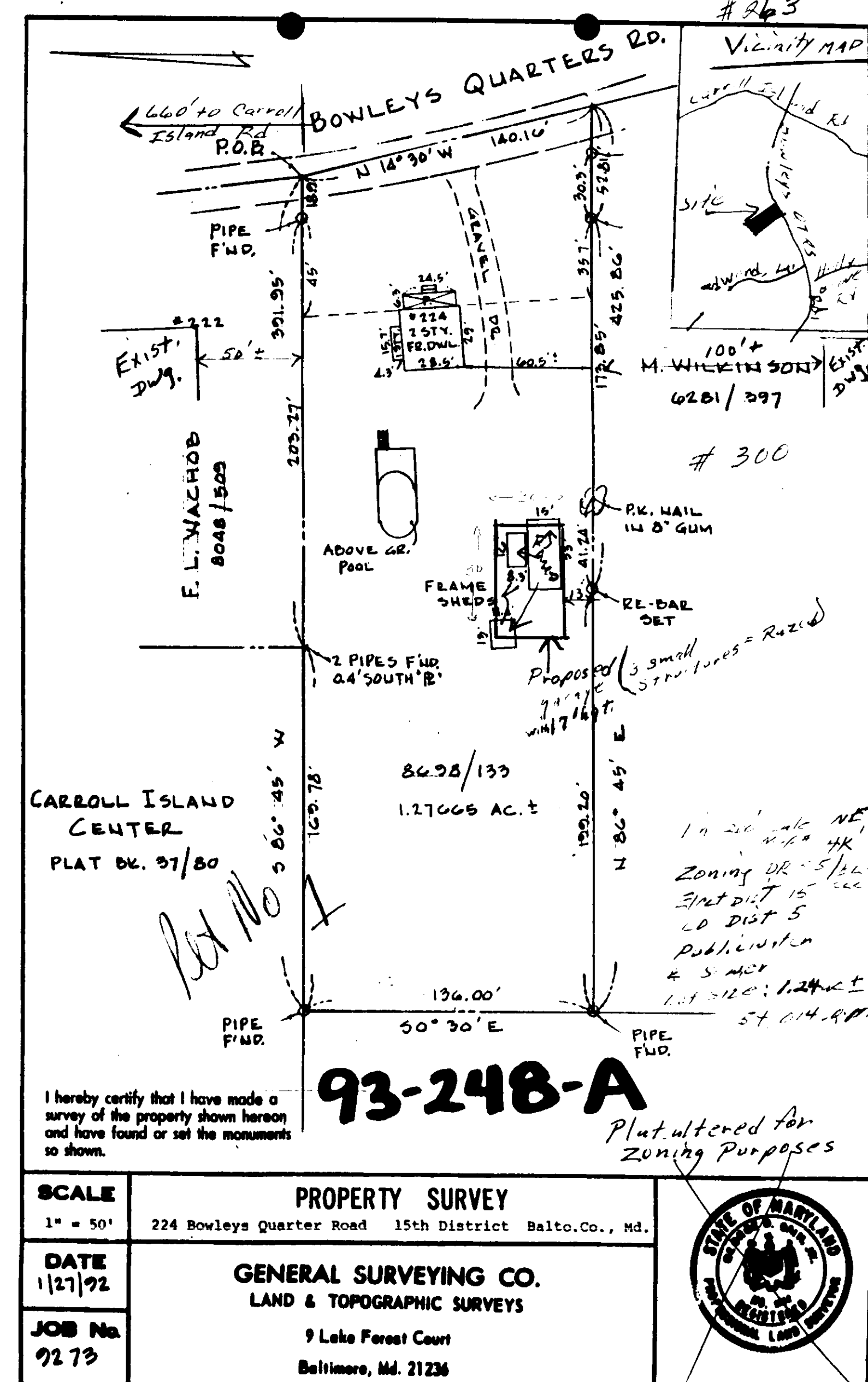
2). The permit will expire shortly. Due to financial difficulties we were unable to begin the work on the garage earlier.

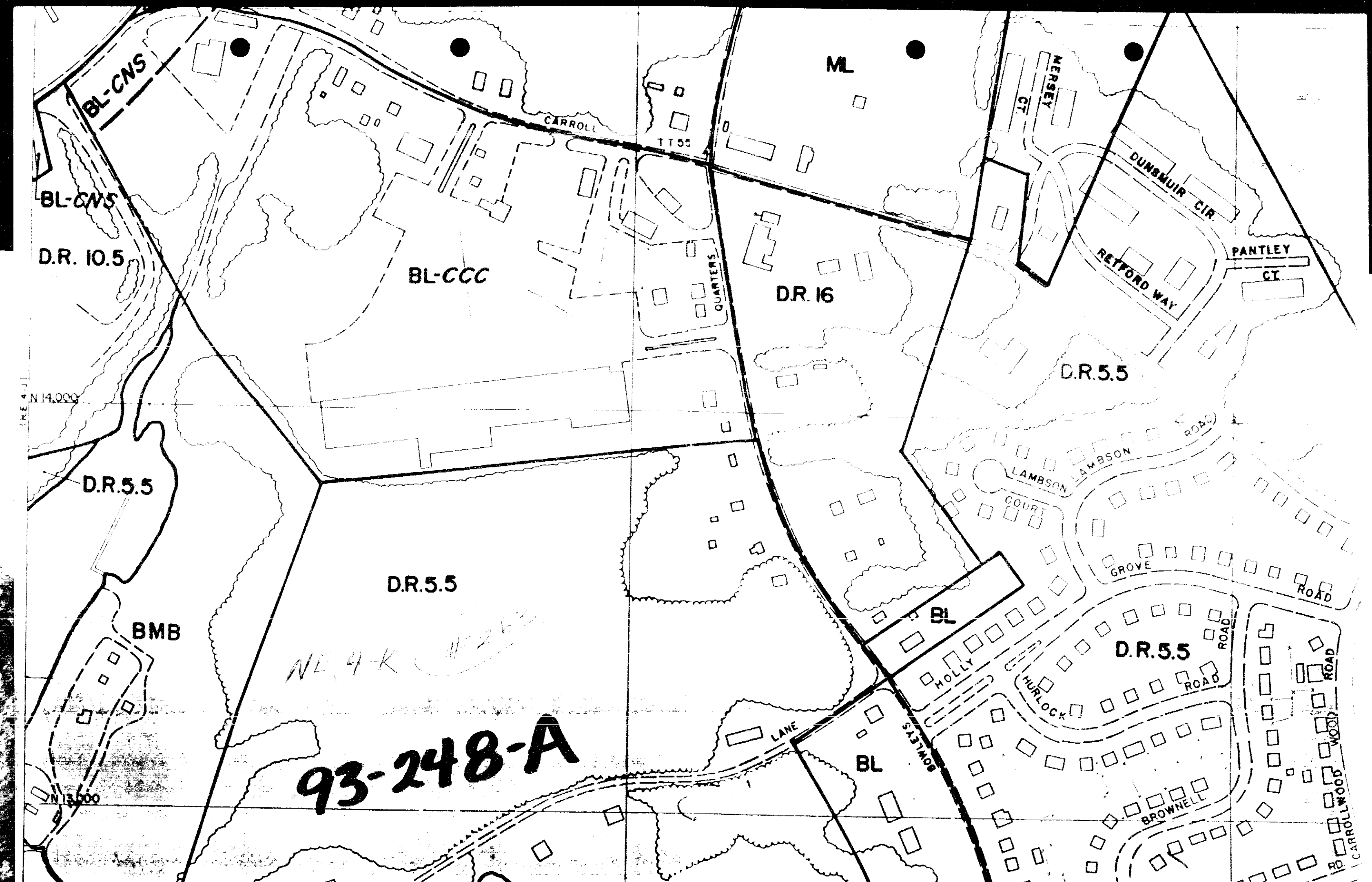
3). The weather has been against us (wet-vice) in that the ground has been too wet for beginning work. Last weekend we did have the footers poured; however we do not know how much block to order as it will be determined by the height of the roof peak. The garage cannot be completed until we are notified of the decision for this variance.

Thank you for your consideration in this matter. If we can be of further assistance, please contact us at 335-2710.

Sincerely,

Russell Knill, Jr.
Russell Knill, Jr.





93-248-A

93-248-A

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

SCALE
1" = 200'
DATE
OF
PHOTOGRAPHY
JANUARY
1966

LOCATION
BENJES
BOWLEYS
QUARTERS

SHEET
NE
4-K